



INVITATION FOR BID NO. 63-04

FROST STREAM RESTORATION ADDENDUM NO. 1

April 21, 2004

ATTENTION ALL BIDDERS — PLEASE NOTE THE FOLLOWING:

1. A revised version of the bid sheet is posted as part of the addendum to reflect changes to pay item #15 and addition of a new pay item #33.
2. These additional documents are issued as part of the addendum:
 - a. Rockville Sediment Control Permit #2003-00061
 - b. Rockville Forestry Permit #FTP2000-00035
 - c. Maryland Dept. of Environment Notice of Intent (NOI) #04-MO-0113
 - d. Revised Draft MCPS Right of Entry Agreement — dated April 16, 2004
 - e. Approved Forest Conservation Plan Sheets 1-6 to support the Forestry PermitDocuments a. through d. are posted on the City's website. The Forest Conservation Plans will be mailed to plan holders or are available for pickup at the Purchasing Office.
3. Under Special Provisions, page 2, Notice to Proceed and Construction Schedule, revise the third and fourth paragraph as follows:

Work shall start within seven (7) days following receipt of the Purchase Order and no sooner than June 16, 2004. All work shall be completed by November 15, including plantings. Most of the first phase is on Montgomery County Public Schools (MCPS) property for Frost Middle School and Wootton High School. MCPS requires that all construction work on its property occur between June 16 and August 15, inclusive, to minimize disruption to student activities and threats to student safety. MCPS and the City have agreed to construction limits and safety provisions for this project, which are described in the draft Right of Entry Agreement posted with Addendum #1. The terms of this agreement are not expected to change from this posted version. The Contractor must strictly comply with all provisions of the final, signed Right of Entry Agreement.

The Contractor shall complete the first phase of construction from Design Point 1 through Design Point 15 between June 16 and August 15, inclusive. All stockpiled materials and equipment must be removed from MCPS property, and the limits of disturbance on MCPS stabilized with seed or sod by August 16. The Contractor shall add work crews or work weekends as needed to achieve this deadline. The Contractor is

permitted to hold pre- and post-construction meetings and to complete supplemental plantings on MCPS property outside of these dates.

4. Under Specifications, page 5, Clearing and Grubbing, fifth paragraph, revise the paragraph as follows:

All invasive species within the limits of disturbance shall be eradicated using glyphosate with a wetting agent or approved equivalent prior to seeding and planting. The glyphosate must be in a form suitable for use near streams and waterways (i.e., Rodeo or approved equivalent). Before spraying, the Certified Applicator of Pesticides shall walk the site with the City Forester to determine the appropriate plants for spraying. All herbicide applications shall be as specified in the Maryland Pesticide Applicator's Law and in conformance with the manufacturer's recommendations. The applications must be performed by a Certified Pest Control Applicator (Category II - Forest) licensed by Maryland Department of Agriculture. Daily herbicide reports shall be provided to the City Inspector or his designee. Sprayed plants shall be left in place, and not removed. Herbicides are only to be applied to live plants, not to bare ground. The Contractor shall be responsible for replacing and pruning any plant material which is killed or damaged through any act of negligence by the Contractor in applying and handling of the herbicide on the project.

5. Under Special Provisions, page 8, Construction Stakeout and As-Built, revise the section as follows:

The Contractor's responsibilities under this contract include all phases of stakeout necessary to construct the stream restoration. The Contractor shall stake out the limits of disturbance to determine which trees are saved prior to beginning construction.

Survey construction control provided by the City is limited to horizontal and vertical control information that will be provided to the contractor. Contractor shall install a stream centerline with 100-foot stationing and at least two survey benchmarks. All stream restoration measures shall be installed per plan in the locations and to the dimensions indicated on the approved plans, except as otherwise directed by the City or its designee. The Contractor shall preserve or otherwise ensure adequate survey controls exist throughout the life of the contract.

The stakeout and survey record data shall be preserved and turned over to the City for permanent filing following the completion of specific components of work and in entirety prior to final payment.

The Contractor shall be responsible for providing As-Built drawings, sealed and certified by a Maryland Registered Land Surveyor, to the City of Rockville at the completion of construction. The As-Built plans shall show the following information red-lined on the approved mylars:

- a. changes to the location and/or extent of any stream restoration measures;
- b. modifications to stream restoration details, material specifications or notes;
- c. dimensions and location of any sewer encasement;

- d. modifications to species, quantities, plant sizes, or locations in the planting plan;
- e. Completion dates of plant installation for seed, sod, shrubs and trees.

6. Replace the following references:

- a. Specifications, page 5, Clearing and Grubbing, first paragraph, licensed tree expert
- b. Specifications, page 5, Clearing and Grubbing, second paragraph, licensed Maryland Tree Expert
- c. Specifications, page 14, Planting Procedures, Pruning, certified horticulturist

with the term State of Maryland Licensed Tree Expert or International Society of Arboriculture Certified Arborist .

7. Under Special Provisions, page 5, Disposal of Materials, delete With the City Forester's permission, trees may be left within the City park land at least ten (10) feet from the top of stream bank, provided they are separated to serve as natural treefalls.

This sentence shall be replaced with, With the City Forester's permission, removed trees may be chipped up onsite and woodchips spread to a maximum depth of 6 along the access path on City Park land. The woodchips may be left in place upon completion of construction. Any trees too large to be chipped and any trees on the MCPS property shall be removed from the work area by the contractor.

8. Under Specifications, page 8, Erosion and Sediment Control Provisions, Item 4. Sandbag Diversions, revise the paragraph as follows:

Sandbag Diversion. Sandbag diversions shall be installed per MGWC 1.5 upstream and downstream of each work area as described in the Sequence of Construction on the plans. The Contractor shall first install the upstream diversion and connect the Temporary Stream Diversion pump(s), ensuring that the discharge pipe is downstream of the work area at a safe outfall location. The Contractor shall then install the second Sandbag Diversion downstream of the work area. Additional pump(s) may be needed to further dewater the work area. All pumps and hoses are incidental to this pay item. The dewatered area must be satisfactorily stabilized and all sandbag diversions and pumps must be removed at the end of each day or upon beginning of substantial rainfall. The cost of daily removal of sandbag diversions and pumps is incidental to this pay item.

9. Under Pay Items, page 2, Item 15, Sandbag Diversion, change Unit Cost from L.F. to Lump Sum.

10. On Pay Items, page 4, add the following pay item:

Item 33

Invasive Plant Eradication. Furnish all materials, labor, and disposal of all debris associated with eradicating invasive plants. Unit Cost — S.Y.

Following are the notes from the pre-bid meeting held on April 14, 2004 and questions and answers provided at the meeting:

I. INTRODUCTION

A. Project Personnel

1. Chief Engineer/Environment — Susan Straus
2. Project Manager —Lise Soukup
3. Inspector — Nick Lewis

II. DISCUSSION

- A. Montgomery County Public Schools has revised the terms of the Right of Entry Agreement that was attached in the appendices of the bid document. Please review the added terms regarding increased amounts of insurance and additional times for flagmen during Wootton High School's summer school period.
- B. The Forest Conservation Plan (FCP) has been approved and is available for review by bidders. The FCP base mapping is outdated compared to the engineering drawings (i.e., Stream Restoration Plans, Sheets 1-9, distributed with the bid package). The FCP shall be used for tree/forest protection and planting requirements. The contractor shall refer to the engineering drawings for stream stabilization and sediment control requirements.
- C. The construction schedule has been adjusted slightly. The contractor may now begin construction work on June 16, not June 18, due to MCPS schools closing earlier than anticipated.

III. QUESTIONS AND ANSWERS

1. Who is responsible for establishing the stakeout for the 100-foot stationing?

The contractor shall provide all surveying and stakeout needed to complete the project.

2. What information is required for the as-built plans?

The contractor shall red-line the construction plan mylars to indicate the following:

- a. *changes to the location and/or extent of any stream restoration measures;*
- b. *modifications to stream restoration details, material specifications or notes;*
- c. *dimensions and location of any sewer encasement;*
- d. *modifications to species, quantities, plant sizes, or locations in the planting plan;*
- e. *Completion dates of plant installation for seed, sod, shrubs and trees.*

3. Who must sign the as-built plans?

The as-built plans must be prepared and certified by a Maryland Registered Land Surveyor and approved by the City or its designee.

4. Is there a potential fill disposal site the City can offer?

The City does not have a disposal site to suggest.

5. Can trees be mulched onsite?

As described above, trees removed on the City park land may be chipped onsite and the woodchips used to cover the access path within the City park land. Trees on MCPS property must be removed from the site and may not be used to construct a woodchip path.

6. Clarify the fencing requirements on MCPS property.

MCPS is requiring chain link fencing to surround the access path from Frost Middle School parking lot. This fence must entirely enclose the construction access path and the staging/stockpile area next to the pedestrian bridge. Three construction access gates must be provided.

At this time, MCPS is also requiring a blaze orange plastic safety fence between the chain link fence and the existing pedestrian path. The City will discuss this issue at the pre-construction meeting with MCPS to see if the orange safety fence can be eliminated.

7. Should the stream sandbag diversion pay item be changed from Linear Foot to a different measurement for payment?

The City has changed the payment method for sandbag diversions to Lump Sum. This simplifies the determination of payment for sandbag diversions, which may vary in both number of locations needed, and in height/length, depending on stream reach location and extent of work to be done in that reach. This also clarifies the issue that daily removal and re-installation of diversions and pump-arounds is incidental to the contract.

8. Can the length of stream reach diversions/pump-arounds be increased to reduce the number of diversions needed?

Yes, with advance permission from the City Inspector or his designee, the contractor may make field changes to the location and/or length of stream reach diverted. The contractor is still required to remove all diversion structures and pumps at the conclusion of construction each day.

9. Can a dump truck be driven down the MCPS access path hill?

Yes, the access path is accessible for construction equipment. The contractor must complete construction on MCPS property and restore this slope with sod by August 16. The contractor may wish to use mats, stone or other stabilizing material to simplify restoration. Any additional materials needed for stabilizing this slope during or after construction that are not separate pay items in the bid specifications shall be considered incidental to the contract.

10. Can the Frost Middle School parking lot be used by the contractor?

Yes, the contractor will be allowed to use up to ten (10) spaces in the school parking lot adjacent to the construction area for personnel parking. No materials or equipment shall be stored in the school parking lot.

11. Is pavement restoration/repair a pay item?

No. Any damage to pavement on City or MCPS property shall be repaired by the contractor at his own expense. The contractor is responsible for documenting the existing condition of all paving that will be traveled by construction equipment, including curb and gutters, paths, parking lots, driveways and street paving on Scott Drive between Frost Middle School's entrance and the Scott Drive Phase II stabilized construction entrance, and identifying any existing damage to MCPS personnel and the City Inspector prior to start of construction work.

12. Clarify the start date.

As stated above, the contractor will begin construction within seven (7) days after issuance of Purchase Order and no sooner than June 16, 2004.

13. How will rock structures be measured for payment?

As stated in the bid documents, rock vanes, rock cross vanes, and step pools will be paid by Each. Rock toe protection, imbricated rip-rap, and rock pack for trees will be paid by the square yard. Rock toe protection, imbricated rip-rap and rock pack will be measured by the square yards of exposed face of these structures, and do not include the square yards of footer stones placed below proposed grade(i.e., channel bed).

14. Clarify the requirements for eradication of invasive plant species.

As stated above, the City has added a pay item to cover eradication of invasive plant species. The species to be eradicated will be determined in a joint field walk between the sub-contractor and the City Forester. Only live plants so identified within the limit of disturbance are required to be sprayed. The contractor is responsible for warranty of invasive plant eradication measures for a two-year period after treatment.

15. Please make available a list of companies that have picked up plans and specifications.

A copy will be attached in the Addendum.

ADDITIONAL QUESTIONS RECEIVED AFTER THE PRE-BID MEETING:

16. At Design Point #2 on the plans, what is the sewer invert under the gabion mattress?

According to the City's as-built plans, the sewer invert is at elev. 325.2 feet. The contractor shall test-pit all sewer crossings in the field to confirm the as-built profiles before constructing stream improvements.

17. Several questions on the invasive vegetation control are answered as follows:

- a. The invasive plant eradication will be covered under new pay item #33.*
- b. The species to be eradicated (and the amount of herbaceous vs. woody invasive plants) will not be determined until after the stream restoration construction, when the invasives remaining after construction can be located.*
- c. The City Forester will determine which season will be acceptable for invasive plant management. Under the current project schedule, construction will be completed by the end of October, 2004, and invasive control can be implemented immediately after this.*
- d. The State of Maryland does not require an MDE Toxic Material Permit for this work. The work must be done by a Certified Pest Control Applicator Category II (Forest) licensed by Maryland Department of Agriculture.*

18. Whom do we contact for questions? Is there a time limit on raising questions?

For technical questions, contact Lise Soukup at 240-314-8515, fax 240-314-8539, email Lsoukup@rockvillemd.gov.

For contractual questions, contact Eileen Morris at 3240-314-8430, fax 240-314-8439, email emorris@rockvillemd.gov.

Any questions should be addressed as soon as they are identified, preferably by close of business (4 p.m.) on Friday, April 23.

ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

ISSUED BY: Eileen Morris, Contracts Officer

DATE: April 21, 2003

ACKNOWLEDGE RECEIPT OF ADDENDUM NO. 1 BY SIGNING BELOW AND RETURNING A COPY OF THE ADDENDUM WITH YOUR PROPOSAL OR ACKNOWLEDGING ON THE BID PROPOSAL FORM.

NAME OF BIDDER _____

Mayor and Council of Rockville, Maryland

ROBERT FROST STREAM RESTORATION
BID PROPOSAL FORM
BID NO. 63-04

This form must be completed, signed and returned.

In accordance with all terms, specifications and requirements, we propose to furnish all labor, equipment, materials and services and the performance of all work necessary for the Frost Stream Restoration Project.

ITEM NO.	ITEM	UNIT	EST. QUANTITY	UNIT COST	SUB-TOTAL
1	STREAM BED MATERIAL	SY	60		
2	ROCK TOE	SY	300		
3	ROCK PACK FOR TREE - Riprap Class II	SY	30		
4	ROCK VANE	EA	3		
5	ROCK CROSS VANE	EA	4		
6	STEP POOL	EA	5		
7	IMBRICATED RIP-RAP	SY	50		
8	CLASS II RIPRAP	SY	20		
9	16" DIAM. NATURAL FIBER ROLL/BIOLOG	LF	100		
10	SANITARY SEWER ENCASEMENT	LF	35		
11	CLEARING AND GRUBBING	LS	1		
12	SUPER SILT FENCE	LF	440		
13	STABILIZED CONSTRUCTION ENTRANCE	EA	2		
14	TEMPORARY ACCESS BRIDGE	EA	1		
15	SAND BAG DIVERSION	LS	1		
16	DEWATERING BASIN	EA	7		
17	SILTSACK OR APPROVED EQUIVALENT	EA	7		
18	6' CHAIN LINK FENCE AND GATES	LF	675		
19	ORANGE PLASTIC SAFETY FENCE	LF	500		
20	LIVE STAKES-SALIX PURPUREA	EA	773		
21	LIVE STAKES- CORNUS STOLONIFERA	EA	773		
22	LIVE STAKES- CORNUS AMOMUM	EA	761		
23	FRAXINUS PENNSYLVANICA - 1.5" DBH	EA	30		
24	PLANTANUS OCCIDENTALIS - 1.5" DBH	EA	30		
25	ACER RUBRUM - 1.5" DBH	EA	30		
26	CORNUS AMOMUM - 24" HEIGHT	EA	30		
27	LINDERA BENZ OIN - 24" HEIGHT	EA	30		
28	EROSION CONTROL MATTING	SY	800		
29	RIPARIAN SEED MIX	SY	9,680		
30	SOD	SY	1,500		
31	ROOT PRUNING	LF	800		
32	TREE PROTECTION FENCE	LF	1410		
33	INVASIVES ERADICATION - Cut & Spray	SY	2,500		
	TOTAL				

In Words

Name of Bidder _____

PROPOSAL 1

BID 63-04, ADDENDUM #1

RETURN THIS FORM IN DUPLICATE

FORESTRY PERMIT

PERMIT #: **FTP2000-00035**

DATE OF ISSUE: 04/12/04

APPLICANT: BOARD OF EDUCATION

ADDRESS: 5701 GROSVENOR LA
BETHESDA MD 20814

PHONE: (W) (H) (F)

SITE ADDRESS: 9210 SCOTT DR

SUBDIVISION: FR61

LOT: P105 BLK:

PROJECT DESCRIPTION:

Robert Frost School, *stream improvement plan*

THIS PROJECT REQUIRES THE FOLLOWING:

X	PRECONSTRUCTION MEETING	X	SIGNIFICANT TREE PLANTING
X	SIGNIFICANT TREE REMOVAL	X	ON-SITE PLANTING
X	ROOT PRUNING		OFF SITE PLANTING
	TREE PRUNING	X	POST PLANTING INSPECTION
	AERATION SYSTEM		POST CONSTRUCTION MEETING
X	TREE PROTECTION FENCE	X	TWO YEAR WARRANTY
	TREE PROTECTION SIGNAGE		FOREST CONSERVATION EASEMENT
	PERMANENT PROTECTION FENCE		TREE COVENANTS
X	PREPLANTING MEETING		OTHER

CONDITIONS:

ENGINEER: Primary:

ADDRESS: (W) (H) (F)

PHONE:

ESTIMATED COST OF WORK:

PERMIT FEES:

AMOUNT OF SECURITY:

PLANTING
OTHER:

TOTAL FEES:

PLANTING: \$600
OTHER:
BOND:
L OF C:
CASH:
OTHER:



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
Governor

Kendl P. Philbrick
Secretary

Michael S. Steele
Lt. Governor

April 7, 2004

Ms. Lise Soukup
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

Dear Ms. Soukup:

The Maryland Department of the Environment, Water Management Administration (MDE/WMA) has received a Notice of Intent (NOI) to comply with the General Permit for Construction Activity, in accordance with the Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) stormwater program. You have been identified on the NOI as the principal contact for the *Robert Frost Middle School - Stream Restoration* site. This NOI has been assigned number *04-MO-0113*.

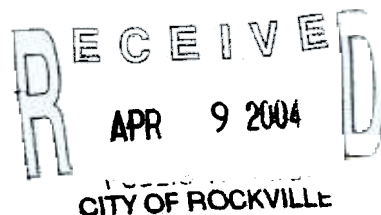
With this NOI submission, the permittee is covered by the General Permit. As such, the permittee is authorized to discharge stormwater associated with construction activity, as defined in the Clean Water Act, from this site. The permittee is responsible for compliance under all terms of the General Permit. This includes the submission of a Transfer of Authorization form to WMA should someone other than the permittee intend to control the permitted activities on the site (see Part I.E. of the General Permit; these forms are available at plan review offices and at WMA), conducting weekly inspections of erosion and sediment controls and maintaining records of these inspections (see Part IV of the General Permit), submitting a Notice of Termination form upon completion of the construction activity and final stabilization of the site (these forms are also available at plan review offices and at WMA), and meeting all other obligations described in the General Permit. A copy of the General Permit is enclosed for your reference. Please review this document carefully.

Thank you for your NOI submission and your intention to comply with the General Permit. Should you have questions regarding the General Permit or the NPDES stormwater program in general, please contact our office at (410) 537-3510.

Sincerely,

Lois B. McNamara
Water Management Administration

Enclosure



SEDIMENT CONTROL STORMWATER MANAGEMENT (SWM) PERMIT

PERMIT#: SCP2003-00061

DATE OF ISSUE: 04/13/2004

PWK PERMIT:

TYPE OF SEDIMENT CONTROL PERMIT: BOTH

APPLICANT: MAYOR AND COUNCIL OF ROCKVILLE

ADDRESS: 111 MARYLAND AVENUE
ROCKVILLE MD 20850

DAYTIME PHONE:

SITE ADDRESS: 9210 SCOTT DR

SUBDIV: FR61

LOT: P105 BLK:

TYPE OF WORK: Frost Stream Restoration/SC from Frost MS to Scott Drive- City CIP project

CONDITIONS:

1. This permit is for stream restoration and sediment control associated with the Robert Frost Middle School stream restoration project. All work must comply with the approved plans dated April 5, 2004, and all plan revisions that must be reviewed and approved by the City including field changes.
2. Contractor shall complete stream restoration on MCPS property, remove all construction equipment and materials, and stabilize disturbed areas on MCPS property before August 16, 2004.
3. Contractor shall comply with all terms of the Right-of-Way Agreement between the City of Rockville and Montgomery County Public Schools.
4. All work covered by this permit must be completed by the expiration date which is two years from date of issuance. Requests for extensions must be submitted in writing to the Department of Public Works 30 days prior to the permit expiration date justifying the permit extension accordance with Chapter 19, Section 43.
5. Schedule a preconstruction meeting with the DPW Sediment Control Inspector, Nick Lewis, at 240 314-8546, the City Forester, Wayne Noll, at 240-314-8710, and the MCPS Coordinator, Ray Marhamati, at 301-548-7538 and Washington Gas Co. at least 48 hours before starting construction.
6. You must notify the City Utilities at 240 314-8567 at least 48 hours prior to construction.
7. Contact Miss Utility at 1-800-257-7777 at least 48 hours before starting construction.
8. Comply with all conditions per FTP2000-00035.
9. Comply with all conditions of permits issued by MDE.
10. Permittee must supply the Contract Manager with lab results (from a Maryland state certified lab) to confirm that all construction work and materials comply with project specifications. This includes acceptable certification for compaction and backfill.
11. Provide any additional sediment control measures as directed by the City Inspector.
12. Contractor is responsible for protection of all utilities within the work area. Any damage to utilities will be repaired by the contractor at no expense to the City.

TYPE OF SWM: OT

WATER SHED: WAT

FLOODPLAIN VARIANCE REQ'D:

N

TOTAL AREA OF PROPERTY:

USE PERMIT NUMBER:

TOTAL AREA TO BE DISTURBED:

109,970

TOTAL IMPERVIOUSNESS PROPOSED:

This permit authorizes the above described construction subject to all applicable laws, regulations, terms and conditions herein and elsewhere.

Approved:


 Director of Public Works

04/13/2004

rev: fscp2pmt 04/13/2004

LMS 04/13/2004

 City of Rockville
 111 Maryland Avenue
 Rockville, Maryland 20850-2364

 Department of Public Works
 240-314-8500
 TDD: 240-314-8137
 FAX: 240-314-8539

SEDIMENT CONTROL STORMWATER MANAGEMENT (SWM) PERMIT

PERMIT#: SCP2003-00061

DATE OF ISSUE: 04/13/2004

PWK PERMIT:

TYPE OF SEDIMENT CONTROL PERMIT: BOTH

APPLICANT: MAYOR AND COUNCIL OF ROCKVILLE
 ADDRESS: 111 MARYLAND AVENUE
 ROCKVILLE MD 20850

DAYTIME PHONE:

SITE ADDRESS: 9210 SCOTT DR

SUBDIV: FR61

LOT: P105 BLK:

(INCLUDE 30' CONTIGUOUS RIGHTS OF WAY)

ESTIMATED COST
OF WORK:

PERMIT FEES:

AMOUNT OF SECURITY:

S/C:
SWM:S/C:
SWM:

TOTAL FEE:

BOND:
L OF C:
CASH:

ENGINEER: BURGESS AND NIPLE
 BURGESS AND NIPLE
 ADDRESS: 170 ROLLINS AVE
 ROCKVILLE MD 20852
 DAYTIME PHONE: 301-468-9400

OWNER/DEVELOPER: MONT. CO. BOARD OF EDUCATION
 ADDRESS: ROCKVILLE MD
 DAYTIME PHONE:

conditions herein and elsewhere.

Approved:


 Director of Public Works

04/13/2004

04/13/2004

LMS 04/13/2004

City of Rockville
 111 Maryland Avenue
 Rockville, Maryland 20850-2364



Department of Public Works
 240-314-8500
 TDD: 240-314-8137
 FAX: 240-314-8539

**CITY OF ROCKVILLE
GENERAL CONDITIONS**

The Permittee shall notify the Department of Public Works at 240-314-8500, at least 48 hours prior to beginning any construction. The Permittee shall contact City Utilities at 240-314-8567 and Miss Utility at 1-800-257-7777, and have all underground utilities located prior to beginning any excavation.

1. Applicant shall obtain a copy of the City's Sediment Control and SWM Regulations and comply with all applicable provisions thereof. Inspectors shall be notified for inspection in compliance with Article IV of City Regulations at 240-314-8500:
 - (a) at least 48 hours prior to starting any land disturbances;
 - (b) prior to removal of any sediment control facilities;
 - (c) and upon completion of final grading, establishment of ground covers and approved land stabilization.
2. Title 4, Subtitle 1 (Sediment Control) and Title 4, Subtitle 2 (Stormwater Management), Annotated Code of Maryland, and Chapter 19, Rockville City Code, require that before certain projects clear, grade or otherwise disturb the earth's surface a Sediment Control Plan be developed and approved for the project. Where appropriate SWM plans shall be developed and approved as part of the Plan. Building and Construction Permits cannot be issued until such Plans are approved.
3. The subject work shall be performed in accordance with the applicable City, County, W.S.S.C. and State regulations and approved drawings and/or with the provisions of Chapter 21, Streets and Public Improvements of the Laws of Rockville and the Standards and Specifications made a part thereof, as adopted by the Mayor and Council of the City of Rockville, subject to the inspection and control of the Director of Public Works or his designee.
4. Applicant shall comply with the Approved Plan and with Chapter 19 of the Laws of Rockville, the Sediment Control and SWM regulations of the City of Rockville, all other relevant laws, ordinances, regulations and standards of any State or local government or agency, including any standards established by the Department of Public Works, the Montgomery Soil Conservation District, the Maryland Department of Natural Resources, and the Maryland Department of the Environment relating to erosion and sediment control and stormwater management. If the Department of Public Works finds that the original Sediment Control Plans are inadequate or inappropriate for field conditions, then additional plans or modifications thereof will be required. Construction/development shall not impair existing surface drainage or constitute off-site sediment hazard.
5. Applicant agrees to save harmless the Mayor and Council of Rockville, Maryland from any expense incurred through the failure of the applicant, or the applicant's agents or servants, to complete any required sediment control or SWM measures, or from any damages growing out of the negligence of the applicant or the applicant's agents.
6. The site, work, materials, approved plan and specifications shall be available at all times for inspection by duly authorized officials of the City of Rockville and the State of Maryland. The City Manager, Director of Public Works, or other authorized officer or representative may:
 - (a) Enter the site after making a reasonable effort to notify the operator or owner, at any reasonable time during the life of the permit and for an additional period of six (6) months following the expiration of the permit, to inspect the condition of the land, structures, and erosion and sediment control measures and at anytime thereafter to inspect stormwater management facilities required by the permit and the approved Plan;
 - (b) Enter the site at any time without notice in case of an emergency that immediately endangers life, property or public safety, for the purpose of performing duties under this Chapter 19 or enforcing the provisions thereof;
 - (c) If a bond or other security forfeiture is ordered, take necessary action for the restoration of any unstabilized grading and/or completion of any necessary storm water management facilities which the developer has failed to complete.

Following initial soil disturbance or redistribution, permanent or temporary stabilization shall be completed within:

- (a) Seven calendar days as to the surface of all perimeter dikes, swales, ditches, perimeter slopes, and all slopes greater than 3 horizontal to 1 vertical (3:1); and
- (b) Fourteen days as to all other redistributed or graded areas on the project site.

The requirements of sections 7a and 7b do not apply to those areas which are shown on the Plan and are currently being used for material storage or for those areas on which actual construction activities are currently being performed.

All permanent cut and/or fill slopes steeper than 3:1 shall be stabilized with low maintenance ground cover - maximum graded slope to be 2:1. Maximum flow of constructed vegetated storm drainage swales or channels shall not exceed two (2) cubic feet per second as calculated based upon a 10 year frequency storm.

9. Adequate safeguards including electric flashers and signs to protect both the general public and the workers must be maintained at all times. The site and/or right-of-way shall be maintained in a clean and dust-free condition at all times.
10. Where trees within the public right-of-way are affected, i.e., construction work within the drip line of tree, a permit shall be obtained from the Department of Natural Resources, 17400 Annapolis Rock Road, Woodbine, MD 21707, 301-854-6060.
11. Off-site waste or borrow areas within the City shall be approved by the Sediment Control Section prior to the import of any borrow export of any waste or from the property. Sediment Control Plans shall be prepared, submitted and approved for such areas as required by Chapter 19, City of Rockville Code.
12. Disturbed areas shall have sediment control devices such as; straw bale dikes, diversion berms, sediment traps and basins, stone filter berms, sand bags, vegetative stabilization, etc., to prevent off-site sedimentation at all times. These shall be constructed simultaneously with the land disturbing activity. Construction/development shall not impair existing surface drainage or constitute a potential off-site sediment hazard.
13. Surface flows over cut and fill slope shall be controlled by either redirecting flows from transversing the slopes or by installing mechanical devices to safely lower water downslope without causing erosion. Berms atop of fill slopes shall be installed prior to the end of each work day. Cut slopes shall be protected at the time of excavation and maintained daily.
14. Maintenance of all erosion and sediment control devices shall be accomplished as necessary to prevent erosion and off-site sedimentation; maintenance will include repair of measures damaged by any sub-contractor including those of the public utility companies. No facility is to be removed until prior approval is granted by the Department of Public Works.